

REVISED

STATEMENT OF PURPOSE

RS27637 / H0458

This bill keeps intact the felony charge available for those who deliberately assault medical personnel, while protecting those who are actively in a mental health crisis or actively seeking mental health care from the enhanced penalty. This bill makes no change to and provides no exemptions for penalties for aggravated battery.

FISCAL NOTE

There is no cost to the General Fund because this bill only creates an exemption to the enhanced penalty for battery of a health care worker. Between 2015 and 2019, 433 charges have been filed under Section 18-915C, or 87 charges annually, on average. The courts do not have data on whether the individuals charged were in a mental health crisis at the time of the incident leading to the charges. This legislation could lead to fewer or lesser charges, which could save counties and the state some monies that would otherwise be spent on incarceration or longer periods of incarceration. Any fiscal impact would be small and cannot be reliably estimated.

Contact:

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).